IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 11TH DECEMBER 2007 / 20TH AGRAHAYANA 1929

WP(C).No. 36548 of 2007(A)

PETITIONERS:

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1. JOSEPH JACKSON ERACHERYIL,
   S/O ROBERT JACKSON, 517(24/406)11,
   FORT KOCHI, ERNAKULAM DISTRICT.

2. NIBY THOMAS, W/O JOSEPH JACKSON,
   517(24/406)11, FORT KOCHI,
   ERNAKULAM DISTRICT.

BY ADV. SMT.T.RADHAMANY
SMT.V.O.PHILOMINA

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY THE
   SECRETARY, LAW DEPARTMENT,
   THIRUVANANTHAPURAM.

2. THE SUB REGISTRAR OF MARRIAGES,
   ALUVA.

BY GOVERNMENT PLEADER SRI BENJAMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36548 of 2007

Dated: December 11, 2007

JUDGMENT

What is sought for by the petitioner is waiver of notice period specified in Secs.15 and 16 of the Special Marriage Act.

2. A Division Bench of this court in Deepak Krishna v. District Registrar - 2007 (3) KLT 570 held that the notice period already specified cannot be waived. If that be so, the relief sought for in this writ petition cannot be granted.

The writ petition fails and it is dismissed.

ANTONY DOMINIC, JUDGE

mt/-